

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/960,258
Confirmation No.4336
Filing Date 9/21/2001
Inventorship Bahl et al.
Appellant..... Microsoft Corporation
Group Art Unit.....2152
Examiner Refai, R.
Attorney's Docket No. MS1-937US
Title: Systems And Methods For Managing Network Connectivity For Mobile
Users

REPLY BRIEF

To: Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

From: Robert G. Hartman (Tel. 509-944-4765; Fax 509-323-8979)
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In response to the Supplemental Examiner's Answer dated July 23, 2009,
a Reply Brief pursuant to 37 C.F.R. §41.41 is submitted. Appellant respectfully
requests favorable consideration.

Grounds of Rejection to be Reviewed on Appeal

Claims 1-5, 19-23, 26 and 38-40 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Pat. No. 6,487,406 to Chang et al. (“Chang et al”).

Claims 6-7 and 24-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chang et al in view of U.S. Pat. No. 6,073,016 to Hulthen et al. (“Hulthen”).

Rejections under 35 U.S.C. §102(e)

In the Supplement Examiner’s Answer, the Office has simply restated the same rejections of claims 1-5, 19-23, and 38-40 as provided in the Final Office Action of March 21, 2006. Appellant fully addressed these rejections in Appellant’s Appeal Brief. In the interest of brevity, Appellant will not repeat Appellant’s arguments from the Appeal Brief.

In the Supplement Examiner’s Answer, the Office also introduces a “New Ground of Rejection.” Specifically, the Office states that claim 26 is rejected for reasons similar to those described by the Office with reference to claim 19. Appellant respectfully submits that claim 26 stands allowable for at least reasons similar to those discussed in Appellant’s appeal brief with regards to claim 19, as well as for the additional features that claim 26 recites.

Rejections under 35 U.S.C. §103(a)

In the Supplemental Examiner's Answer, the Office has also simply restated the same rejections of claims 6-7 and 24-25 as provided in the Final Office Action of March 21, 2006. Appellant fully addressed these rejections in Appellant's Appeal Brief. In the interest of brevity, Appellant will not repeat Appellant's arguments from the Appeal Brief.

Response to Arguments

Appellant respectfully reiterates all arguments in favor of allowance made in Appellant's previously-filed Appeal Brief. No admission or comment is made with respect to any assertions put forth within the Supplemental Examiner's Answer not addressed herein. Appellant further argues as follows in view of the Supplemental Examiner's Answer.

In the Response to Arguments section of the Supplemental Examiner's Answer, the Office disagrees with Appellant's assertion that the terms "authorize" and "register" differ from one another. In an attempt to prove this point, the Office states that "it is clear that the [Chang] user needs to be a registered user before being allowed to communicate over the new [base station], or in other words, needs to be an 'authorized' user." *Supplemental Examiner's Answer*, pages 6-7.

Even assuming without conceding the Office's above statement to be true, Appellant respectfully submits that Chang still does not disclose Appellant's claimed "authoriz[ing]". Merely because a user needs to be an "authorized user"

does not mean that the step of *registering* a user itself discloses *authorizing* a user. That is, although users may very well need to register in Chang’s system, this step of registration is wholly unrelated to *authorizing* users to actually use the system. While authorizing involves a decision as to whether or not to grant authority or power to something, registering merely entails entering something in an official register. *See Appeal Brief, pages 12-13.* Appellant respectfully submits that the Office does not show any portion of Chang that relates to “authorizing” a user.

In the Response to Arguments section, the Office also states that Appellant’s arguments in the Appeal Brief rely on features that are not recited in Appellant’s claims. *Supplemental Examiner’s Answer, page 8.* This is simply not so. As discussed in the Appeal Brief, Appellant’s claimed authorizer signal “acts to enable a *mobile client* to know at which address to send packets *to a network*”. *Appeal Brief, page 16* (emphasis in original). This is a natural consequence of Appellant’s claim 1, which recites “broadcasting an authorizer signal that *identifies an authorizer network address* on the computer network, the authorizer network address being *associated with an authorizer that is configured to authorize mobile clients* to utilize the computer network.” (emphasis added). Appellant’s claim, thus, “identifies...[a] network address...associated with an authorizer”, which enables mobile clients to learn this identified network address. Mobile clients may then send packets to this network address.

Appellant, therefore, respectfully submits that Appellant’s arguments within the Appeal Brief regarding the “authorizer signal” find support in Appellants claims. Appellant further submits that the Office fails to establish that

Chang discloses this claimed “authorizer signal”, for at least the reasons discussed within the Appeal Brief.

Conclusion

For at least the reasons provided above, Appellant respectfully submits that the rejections set forth in the Final Office Action of March 21, 2006 in connection with the subject application should be reversed. Appellant respectfully requests favorable consideration of this Reply Brief.

Respectfully Submitted,

Dated: 2009/09/23

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